

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

ALI HUSSEIN JAGHBIR

Case No. Case: 2:20-mj-30373

Assigned To : Unassigned

Assign. Date : 9/11/2020

USA V. SEALED MATTER (CMP)(CMC)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of From August 2019 to February 2020 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 1029(a)(1)	use of counterfeir access devices
18 U.S.C. 1028A(a)(1)	aggravated identity theft

This criminal complaint is based on these facts:  
**See attached affidavit.**

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: September 11, 2020

City and state: Detroit, MI

**JOHN R KRAEMER** Digitally signed by JOHN R KRAEMER  
Date: 2020.09.11 08:22:22 -04'00'

*Complainant's signature*

Special Agent John Kraemer, U.S. Secret Service

*Printed name and title*

*Judge's signature*

R. Steven Whalen, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, John Kraemer, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent of the United States Secret Service (USSS), U.S. Department of Homeland Security, assigned to its Detroit office. I have been so employed since March 2018 and am currently assigned to the Electronic Crime Task Force. My duties and responsibilities as a Special Agent include investigating violations of the United States Code concerning bank fraud and cyber-crime. I have conducted numerous criminal investigations and more specifically, I have been trained in the methods and traits commonly associated with bank and computer fraud. The information contained in this affidavit is based on my training, experience, and participation in financial crime investigations, as well as personal observations during the course of this investigation, information received from other law enforcement officers, and information provided by bank investigators and others who have personal knowledge of the events and circumstances described herein.

2. This affidavit is submitted for the limited purpose of securing a criminal complaint and arrest warrant for **ALI HUSSEIN JAGHBIR** for

committing credit card fraud (18 U.S.C. § 1029(a)(1)) and aggravated identity theft (18 U.S.C. § 1028A), among other offenses. And it does not contain every fact that I have learned during the course of the investigation. I have only set forth the facts necessary to establish probable cause to believe that JAGHBIR violated the statutes identified above.

**MEIJER INC.**

3. In November 2019, the United States Secret Service was contacted by the Financial Crimes Division of Meijer Inc. to report a suspected fraud that had been perpetrated against Meijer, resulting in a loss of over \$180,000.00. Meijer is a big-box retailer headquartered in suburban Grand Rapids with over 200 stores in Michigan and other midwestern states.

4. Many Meijer stores have Meijer gas stations located on or near their parking lots.

5. During the period in question, Comenity Bank issued Meijer cobranded Mastercard credit cards to Meijer customers. The headquarters and major offices of Comenity Bank are located outside of Michigan.

**SCHEME TO DEFRAUD**

6. A corporate investigator for Meijer informed me that from August 2019 through February 2020, ALI H. JAGHBIR used approximately 27 Meijer Mastercard

credit cards and 30 other credit cards to purchase gas at Meijer gas stations and Murphy USA gas stations in metropolitan Detroit. (Paragraph 13 below explains how the perpetrator was identified as being JAGHBIR.) Those purchases totaled about \$207,000. But JAGHBIR received a discount at the pump because he used Meijer credit cards at Meijer gas stations. With the discounts, JAGHBIR's purchases totaled about \$190,000.

7. I was also in contact with a fraud investigator at Comenity Bank. He/she was able to provide me with monthly Meijer Mastercard credit card statements that showed the fraudulent charges. Comenity Bank was able to contact the majority of the accountholders to make them aware of the charges and cancel their Meijer Mastercards.

8. JAGHBIR also used those credit cards to purchase gas at Murphy USA gas stations. Murphy USA is associated with Walmart. First National Bank issued Murphy USA cobranded Visa credit cards to Murphy USA customers. Murphy USA gas stations are typically located near Walmart stores. Murphy USA gas stations offer discounts when customers use Walmart cobranded credit cards issued by Capital One Bank. JAGHBIR's purchases of gas at Murphy USA gas stations totaled about \$4,900.

9. JAGHBIR "cloned" (i.e., fabricated) the Meijer credit cards using blanks

(blank plastic cards the size of credit cards) and the personal identification information (PII) of a number of Meijer customers to whom Meijer cobranded Mastercard credit cards had been issued. These credit cards were cloned because the legitimate credit card accountholders were in possession of their Meijer credit cards. JAGHBIR would then use the cloned Meijer credit cards, without the knowledge or consent of the Meijer credit card accountholders, to make fraudulent fuel purchases at Meijer gas stations. The investigation has not yet determined how JAGHBIR obtained the PII of the Meijer credit card accountholders.

10. Financial records show that JAGHBIR would use a cloned Meijer credit card multiple times a day to purchase gas at Meijer gas stations. He would use the credit card until it was maxed out or it no longer worked. JAGHBIR would then use another cloned Meijer credit card to continue to make the illegal fuel purchases.

11. When he did this, he would pump the gas not into the gas tank of his pickup truck but into a rubber bladder resting on the bed of the pickup truck he drove and concealed under a tarp. Jaghbir would pump gas into the bladder until it was full. According to an employee of Murphy USA, the bladder could hold approximately 275 gallons at one time. JAGHBIR would then drive to another gas station to off-load the fuel into the station's underground tanks.

12. U.S. Secret Service agents in the Detroit Field Office conducted

multiple surveillances in order to confirm where JAGHBIR filled up the bladder with gas and confirm the location where he would off-load the fuel. The agents were able to see and confirm that JAGHBIR filled the bladder at Meijer or Murphy USA gas stations, almost always in the middle of the night. They were also able to see JAGHBIR off-load the fuel at an Amoco gas station located at 9657 Gratiot Avenue, Detroit, Michigan. There he would take a hose out of his pickup truck and connect it to the bladder. Then he would place the other end of the hose into the underground fuel tanks. This would often happen multiple times in a single night.

13. The pickup truck with the bladder was depicted in numerous photos taken by surveillance cameras at Meijer gas stations. The Michigan license plate on back of the pickup truck was ECV 7619. According to a law enforcement database, that license plate number was assigned to a 2002 Dodge Ram pickup truck, which was registered to ALI HUSSEIN JAGHBIR, a resident of Dearborn Heights, Michigan. The Meijer surveillance photos show JAGHBIR filling up a bladder that was covered in the back of his pickup truck. Murphy USA was also able to provide surveillance photos. One of the photos that Murphy USA provided has a clear image of JAGHBIR, and it was an exact match of the photo on JAGHBIR's Michigan driver's license. In addition, during one of the surveillances, an agent was able to get to a gas pump close to JAGHBIR at a Murphy USA gas station when

that station was busy and was able to get pictures of JAGHBIR filling up the bladder. Those photos depicted someone who very closely resembled the photo on JAGHBIR'S Michigan driver's license.

14. I have learned that the use in Michigan of Meijer credit cards issued by Comenity Bank, authentic or cloned, results in the transmission of electronic information between Michigan and computer servers used by Comenity Bank located outside of Michigan.

### **CONCLUSION**

15. In light of the information set forth above, I submit that there is probable cause to believe that ALI HUSSEIN JAGHBIR did commit credit card fraud in that he knowingly and with intent to defraud used several counterfeit access devices and thereby affected interstate commerce, in violation of 18 U.S.C. § 1029(a)(1), and that there is also probable cause to believe that he did also commit aggravated identity theft in that knowingly use without lawful authority means of identification of several other individuals during and in relation to his

commission of credit card fraud, in violation of 18 U.S.C. § 1028A.

JOHN R KRAEMER Digitally signed by JOHN R  
KRAEMER  
Date: 2020.09.11 08:20:21 -04'00'

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JOHN KRAEMER  
Special Agent  
United States Secret Service

Sworn to before me and signed in my  
presence and/or by reliable electronic  
means this \_\_\_\_\_ day of September 2020.



September 11, 2020

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R. Steven Whalen  
United States Magistrate Judge